

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF MICHIGAN  
NORTHERN DIVISION

DWAYNE EDMUND WILSON,

Plaintiff,

v.

UNKNOWN HOMER, et al.,

Defendants.

Case No. 2:22-cv-70

HON. JANE M. BECKERING

**ORDER**

This is a civil rights action brought by a state prisoner under 42 U.S.C. § 1983. Defendants Timothy Maki (named as “T. Maki” in the complaint) and Shawn Smith (named as “S. Smith” in the complaint) filed a Motion for Summary Judgment on the Basis of Exhaustion (ECF No. 30). The matter was referred to the Magistrate Judge, who issued a Report and Recommendation (ECF No. 33) on February 26, 2024, recommending that this Court grant the motion. The Report and Recommendation was duly served on the remaining parties. No objections have been filed. *See* 28 U.S.C. § 636(b)(1). Accordingly:

**IT IS HEREBY ORDERED** that the Report and Recommendation (ECF No. 33) is APPROVED and ADOPTED as the Opinion of the Court.

**IT IS FURTHER ORDERED** that the Motion for Summary Judgment on the Basis of Exhaustion (ECF No. 30) is GRANTED.

Defendants Maki and Smith are terminated from this action. Plaintiff’s Eighth Amendment excessive force claim against Correction Officer Unknown Holma (named “Homer” in the complaint) remains.

Dated: April 24, 2024

/s/ Jane M. Beckering  
JANE M. BECKERING  
United States District Judge